

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Dipan Patel	Art Unit	: 2456
Serial No.	: 10/561,428	Examiner	: James T. Baron
Filed	: March 26, 2007	Conf. No.	: 6357
Title	: METHOD AND SYSTEM FOR SELECTIVELY DISTRIBUTING DATA TO A SET OF NETWORK DEVICES		

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

The undersigned thanks Examiner James Baron for the courtesy of the Examiner-initiated telephonic interview conducted on March 23, 2011. In the interview, Examiner Baron provided proposed claim amendments. In a subsequent telephone conversation on March 24, 2011, the Applicant proposed minor changes to some of the Examiner's proposed claim amendments reflected in the proposed claim amendments listed below. The undersigned authorizes the Examiner to enter these proposed claim amendments by Examiner's amendment as long as it leads to allowance of the case.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: March 25, 2011.

PROPOSED 112. (Currently amended) A method comprising:

receiving, by a set top box, update code streamed to the set top box by a server on a predetermined channel;

generating, by the set top box, a trigger to check whether the set top box is to invoke the update code;

receiving, by the set top box in response to the trigger, an m -bit update flag included in the update code, wherein the m -bit flag does not uniquely identify the set top box;

accessing, by the set top box in response to the trigger, an n -bit unique hardware identifier assigned to the set top box;

comparing, [[by]]within the set top box, the m -bit update flag to a predetermined portion of the n -bit unique hardware identifier, wherein n is greater than m ;

determining, based on comparing the m -bit update flag to the predetermined portion of the n -bit unique hardware identifier, that the m -bit update flag matches the predetermined portion of the n -bit unique hardware identifier; and

selectively invoking, by the set top box, the update code based on determining that the m -bit update flag matches the predetermined portion of the n -bit unique hardware identifier.

PROPOSED 119. (Currently amended) A method comprising:

determining, by a server, a first quantity of set top boxes to update from a plurality of set top boxes;

determining a quantity, n , of bits in an n -bit unique hardware identifier assigned to each set top box;

selecting, by the server, a value, m , based on the first quantity of set top boxes to update and the quantity, n , wherein the value, m , is less than the quantity, n ;

generating, by the server, an m -bit update flag;

including, by the server, the m -bit update flag in update code; and

streaming, by the server, the update code, including the m -bit update flag, to the plurality of set top boxes on a predetermined channel.

PROPOSED 122. (Currently amended) A system comprising:

~~one or more computers a set top box;~~ and
a ~~non-transitory~~ computer-readable medium coupled to the ~~one or more~~
~~computers set top box~~ having instructions stored thereon which, when executed by the ~~one or~~
~~more computers set top box~~, ~~cause~~ causes the ~~one or more computers set top box~~ to perform
operations comprising:

~~receiving, by a set top box, receive~~ update code streamed to the set top box
by a server on a predetermined channel;

~~generating, by the set top box, generate~~ a trigger to check whether the set
top box is to invoke the update code;

~~receiving, by the set top box receive,~~ in response to the trigger, an *m*-bit
update flag included in the update code, wherein the *m*-bit flag does not uniquely identify the set
top box;

~~accessing, by the set top box access, in response to the trigger,~~ an *n*-bit
unique hardware identifier assigned to the set top box;

~~comparing, by the set top box, compare~~ the *m*-bit update flag to a
predetermined portion of the *n*-bit unique hardware identifier, wherein *n* is greater than *m*;

~~determining determine,~~ based on comparing the *m*-bit update flag to the
predetermined portion of the *n*-bit unique hardware identifier, that the *m*-bit update flag matches
the predetermined portion of the *n*-bit unique hardware identifier; and

selectively invoke ~~invoking, by the set top box,~~ the update code based on
determining that the *m*-bit update flag matches the predetermined portion of the *n*-bit unique
hardware identifier.

PROPOSED 123. (Currently amended) The system of claim 122, wherein the ~~operations~~
~~further comprise: instructions further cause the set top box to:~~

~~determining determine,~~ in response to determining that the *m*-bit update flag matches the
predetermined portion of the *n*-bit unique hardware identifier, that the update code is a newer
version of code that exists on the set top box, wherein the update code is selectively invoked

based on determining that the update code is a newer version of code that exists on the set top box.

PROPOSED 124. (Currently amended) The system of claim 122, wherein the ~~operations further comprise determining instructions further cause the set top box to determine~~ that the set top box has been booted or rebooted, wherein the trigger is generated based on determining that the set top box has been booted or rebooted.

PROPOSED 125. (Currently amended) The system of claim 122, wherein the ~~operations further comprise determining instructions further cause the set top box to determine~~ that a predetermined period of time has elapsed, wherein the trigger is generated based on determining that the predetermined period of time has elapsed.

PROPOSED 126. (Currently amended) The system of claim 122, wherein the ~~operations further comprise receiving instructions further cause the set top box to receive~~ a user selection, wherein the trigger is generated based on receiving the user selection.

PROPOSED 127. (Currently amended) The system of claim 122, wherein the ~~operations further comprise receiving instructions further cause the set top box to receive~~ a confirmation from the user that the update code is to be invoked, wherein the update code is invoked based on receiving the confirmation from the user.

PROPOSED 129. (Currently amended) A system comprising:

~~one or more computers a server;~~ and

a non-transitory computer-readable medium coupled to the ~~one or more computers server~~ having instructions stored thereon which, when executed by the ~~one or more computers server~~, cause causes the ~~one or more computers server~~ to ~~perform operations comprising:~~

~~determining, by a server, determine a first quantity of set top boxes to update from~~ a plurality of set top boxes,

~~determining~~ determine a quantity, n , of bits in an n -bit unique hardware identifier assigned to each set top box,

~~selecting, by the server,~~ select a value, m , based on the first quantity of set top boxes to update and the quantity, n , wherein the value, m , is less than the quantity, n ,

~~generating, by the server,~~ generate an m -bit update flag,

~~including, by the server,~~ include the m -bit update flag in update code, and

~~streaming, by the server,~~ stream the update code, including the m -bit update flag, to the plurality of set top boxes on a predetermined channel.

PROPOSED 130. (Currently amended) The system of claim 129, wherein the ~~operations further comprise: instructions further cause the server to:~~

after streaming the update code to the set top boxes, ~~determining~~ determine a quantity of users that have provided feedback for the update code.

PROPOSED 131. (Currently amended) The system of claim 130, wherein the ~~operations further comprise: instructions further cause the server to:~~

~~determining, by the server,~~ determine a second quantity of set top boxes to update from the plurality of set top boxes based on the quantity of users that have provided feedback for the update code;

~~selecting, by the server,~~ select a value, o , based on the second quantity of set top boxes to update and the quantity, n , ~~where the value, o , is less than the quantity, n ;~~

~~generating, by the server,~~ generate an o -bit update flag;

~~including, by the server,~~ include the o -bit update flag in update code; and

~~streaming, by the server,~~ stream the update code, including the o -bit update flag, to the plurality of set top boxes on the predetermined channel.

PROPOSED 132. (Currently amended) A non-transitory computer storage medium encoded with a computer program, the program comprising instructions that when executed by ~~one or~~

~~more computers cause a set top box causes the one or more computers set top box to perform operations comprising:~~

~~receiving, by a set top box, receive~~ update code streamed to the set top box by a server on a predetermined channel;

~~generating, by the set top box, generate~~ a trigger to check whether the set top box is to invoke the update code;

~~receiving, by the set top box receive~~, in response to the trigger, an m -bit update flag ~~included in the update code~~, wherein the m -bit flag does not uniquely identify the set top box;

~~accessing, by the set top box access, in response to the trigger~~, an n -bit unique hardware identifier assigned to the set top box;

~~comparing, by the set top box, compare~~ the m -bit update flag to a predetermined portion of the n -bit unique hardware identifier, wherein n is greater than m ;

~~determining determine~~, based on comparing the m -bit update flag to the predetermined portion of the n -bit unique hardware identifier, that the m -bit update flag matches the predetermined portion of the n -bit unique hardware identifier; and

selectively ~~invoke invoking, by the set top box~~, the update code based on determining that the m -bit update flag matches the predetermined portion of the n -bit unique hardware identifier.

PROPOSED 133. (Currently amended) The non-transitory computer storage medium of claim 132, wherein the ~~operations further comprise~~ instructions further cause the set top box to:

~~determining determine~~, in response to determining that the m -bit update flag matches the predetermined portion of the n -bit unique hardware identifier, that the update code is a newer version of code that exists on the set top box, wherein the update code is selectively invoked based on determining that the update code is a newer version of code that exists on the set top box.

PROPOSED 134. (Currently amended) The non-transitory computer storage medium of claim 132, wherein the ~~operations further comprise determining~~ instructions further cause the set

top box to determine that the set top box has been booted or rebooted, wherein the trigger is generated based on determining that the set top box has been booted or rebooted.

PROPOSED 135. (Currently amended) The non-transitory computer storage medium of claim 132, wherein the ~~operations further comprise determining instructions further cause the set top box to determine~~ that a predetermined period of time has elapsed, wherein the trigger is generated based on determining that the predetermined period of time has elapsed.

PROPOSED 136. (Currently amended) The non-transitory computer storage medium of claim 132, wherein the ~~operations further comprise receiving instructions further cause the set top box to receive~~ a user selection, wherein the trigger is generated based on receiving the user selection.

PROPOSED 137. (Currently amended) The non-transitory computer storage medium of claim 132, wherein the ~~operations further comprise receiving instructions further cause the set top box to receive~~ a confirmation from the user that the update code is to be invoked, wherein the update code is invoked based on receiving the confirmation from the user.

PROPOSED 138. (Currently amended) The non-transitory computer storage medium of claim 132, wherein invoking the update code further comprises identifying a future predetermined time in which the set top box is to download and run other code from the predetermined channel.

PROPOSED 139. (Currently amended) A non-transitory computer storage medium encoded with a computer program, the program comprising instructions that when executed by ~~one or more computers cause a server causes the one or more computers server to perform operations comprising:~~

~~determining, by a server, determine a first~~ quantity of set top boxes to update from a plurality of set top boxes;

~~determining~~ determine a quantity, n , of bits in an n -bit unique hardware identifier assigned to each set top box;

~~selecting, by the server;~~ select a value, m , based on the first quantity of set top boxes to update and the quantity, n , wherein the value, m , is less than the quantity, n ;

~~generating, by the server;~~ generate an m -bit update flag;

~~including, by the server;~~ include the m -bit update flag in update code; and

~~streaming, by the server;~~ stream the update code, including the m -bit update flag, to the plurality of set top boxes on a predetermined channel.

PROPOSED 140. (Currently amended) The non-transitory computer storage medium of claim 139, wherein the ~~operations further comprise instructions further cause the server to:~~

after streaming the update code to the set top boxes, ~~determining~~ determine a quantity of users that have provided feedback for the update code.

PROPOSED 141. (Currently amended) The non-transitory computer storage medium of claim 140, wherein the ~~operations further comprise instructions further cause the server to:~~

~~determining, by the server;~~ determine a second quantity of set top boxes to update from the plurality of set top boxes based on the quantity of users that have provided feedback for the update code;

~~selecting, by the server;~~ select a value, o , based on the second quantity of set top boxes to update and the quantity, n , where the value, o , is less than the quantity, n ;

~~generating, by the server;~~ generate an o -bit update flag;

~~including, by the server;~~ include the o -bit update flag in update code; and

~~streaming, by the server;~~ stream the update code, including the o -bit update flag, to the plurality of set top boxes on the predetermined channel.

PROPOSED 146. (Currently amended) The non-transitory computer storage medium of claim 139, wherein the n -bit unique hardware identifier corresponds to systematically distributed data that corresponds to a known criteria.

PROPOSED 147. (Currently amended) The non-transitory computer storage medium of claim 146, wherein the known criteria is one of a geographic region or a preferred program genre.

PROPOSED 148. (Cancelled)

PROPOSED 149. (Currently amended) The method of claim ~~[[148]]~~121, wherein:
the type of feedback is negative,
the ~~modified~~ second quantity of set top boxes is less than the ~~second~~ first quantity of set top boxes based on the negative feedback, and
the ~~modified~~ value, ~~[[o']]~~l, is less than the value, ~~[[o]]~~m.

PROPOSED 150. (Currently amended) The method of claim ~~[[148]]~~121, wherein:
the type of feedback is positive,
the ~~modified~~ second quantity of set top boxes is greater than the ~~second~~ first quantity of set top boxes based on the positive feedback, and
the ~~modified~~ value, ~~[[o']]~~l, is greater than the value, ~~[[o]]~~m.

PROPOSED 151. (Cancelled)

PROPOSED 152. (Currently amended) The system of claim ~~[[151]]~~131, wherein:
the type of feedback is negative,
the ~~modified~~ second quantity of set top boxes is less than the ~~second~~ first quantity of set top boxes based on the negative feedback, and
the ~~modified~~ value, ~~[[o']]~~l, is less than the value, ~~[[o]]~~m.

PROPOSED 153. (Currently amended) The system of claim ~~[[151]]~~131, wherein:
the type of feedback is positive,
the ~~modified~~ second quantity of set top boxes is greater than the ~~second~~ first quantity of set top boxes based on the positive feedback, and

the ~~modified~~ value, $[[o]]_L$, is greater than the value, $[[o]]_M$.

PROPOSED 154. (Cancelled)

PROPOSED 155. (Currently amended) The non-transitory computer storage medium of claim $[[154]]141$, wherein:

the type of feedback is negative,

the ~~modified~~ second quantity of set top boxes is less than the ~~second~~ first quantity of set top boxes based on the negative feedback, and

the ~~modified~~ value, $[[o]]_L$, is less than the value, $[[o]]_M$.

PROPOSED 156. (Currently amended) The non-transitory computer storage medium of claim $[[154]]141$, wherein:

the type of feedback is positive,

the ~~modified~~ second quantity of set top boxes is greater than the ~~second~~ first quantity of set top boxes based on the positive feedback, and

the ~~modified~~ value, $[[o]]_L$, is greater than the value, $[[o]]_M$.

No fees are due. Please apply any charges not otherwise paid, or apply any credits to, deposit account 06-1050.

Respectfully submitted,

Date: March 25, 2011

/Marie Smyth, Reg. No. 65,404/
Marie Smyth
Reg. No. 65,404

Customer Number 26212
Fish & Richardson P.C.
Telephone: (612) 335-5070
Facsimile: (877) 769-7945